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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE JACQUELINE SCOTT CORLEY, MAGISTRATE

IN RE: FACEBOOK, INC. CONSUMER ) NO. 18-MD-02843 VC (JSC)  
PRIVACY USER PROFILE LITIGATION, )  
\_\_\_\_\_)

San Francisco, California  
Wednesday, July 28, 2021

**TRANSCRIPT OF PROCEEDINGS VIA ZOOM WEBINAR**

**APPEARANCES:**

For Plaintiffs:

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Seattle, Washington 98101

**BY: DEREK W. LOESER, ESQ.**  
**CARI C. LAUFENBERG, ESQ.**  
**DAVID J. KO, ESQ.**

BLEICHMAR, FONTI & AULD LLP  
555 12th Street, Suite 1600  
Oakland, California 94607

**BY: LESLEY E. WEAVER, ESQ.**  
**ANNE K. DAVIS, ESQ.**  
**MATTHEW P. MELAMED, ESQ.**

For Defendant:

GIBSON, DUNN & CRUTCHER LLP  
200 Park Avenue  
New York, New York 10166-0193

**BY: ORIN SNYDER, ESQ.**

**(APPEARANCES CONTINUED ON FOLLOWING PAGE)**

Reported by: Katherine Powell Sullivan, CSR #5812, CRR, RMR  
Official Reporter - U.S. District Court

1 **APPEARANCES:** (via Zoom Webinar; continued)

2 For Defendant:

3 GIBSON, DUNN & CRUTCHER LLP  
4 1881 Page Mill Road  
5 Palo Alto, California 94304

6 **BY: MARTIE KUTSCHER CLARK, ESQ.**

7 Also Present:

8 HONORABLE GAIL A. ANDLER  
9 DANIEL B. GARRIE, ESQ.  
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1 Wednesday - July 29, 2021

8:31 a.m.

2 P R O C E E D I N G S

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4 **THE CLERK:** Calling Civil action 18-md-2843, In re  
5 Facebook. And you don't need to state your appearance. Thank  
6 you.

7 **THE COURT:** Good morning. Good morning, Judge Andler  
8 and Mr. Garrie. Thank you for joining us and everyone.

9 So I think now we have a plan in place that, from your  
10 statement, appears to be working so far. So thanks very much  
11 for that.

12 Is there anything in particular the parties wanted to  
13 discuss? I didn't see anything sort of in the statement.

14 No. Okay.

15 **MR. SNYDER:** Your Honor, I think the only thing is we  
16 want to thank you and Judge Chhabria for appointing Mr. Garrie  
17 as the special master.

18 I think, as you saw, we're working through the amended  
19 special master order, and we're confident that we can get  
20 something submitted very shortly.

21 **THE COURT:** Great. Yeah, I think you can.

22 Sort of like this is what Judge Breyer, who I worked for  
23 for a long time, used to say about bankruptcy cases. He said  
24 any party that wanted their bankruptcy appeal to be heard by  
25 the District Court as opposed to the Bankruptcy Appellate Panel

1 you knew their case wasn't any good because the District Court  
2 wasn't going to understand.

3 Now you have Mr. Garrie, who actually understands. And  
4 both parties wanted him, so that means you both think your  
5 positions are good. So that's great.

6 In any event, well, yes, thanks very much for being here.  
7 You're all on the clock. I don't want to keep you.

8 So, then, would you like to set another date just so we  
9 have it on the calendar?

10 **MS. WEAVER:** Yes, Your Honor, that would be good.

11 **THE COURT:** About a month? What are you thinking?

12 **MR. SNYDER:** Sounds good.

13 **THE COURT:** About a month. How about August -- I'm  
14 looking at the week of -- how about August 23rd, at 8:30 a.m.?  
15 That's a Monday.

16 **MR. SNYDER:** That's fine for us, Your Honor.

17 **MS. WEAVER:** That works.

18 **MR. LOESER:** That works for us, Your Honor.

19 **THE COURT:** Great. All right.

20 I hope everybody is finding some time to carve out some  
21 vacation this summer, if you all remember what that is. Put  
22 your vacation responders on, all right.

23 **JUDGE ANDLER:** They're working very hard,  
24 Judge Corley.

25 **THE COURT:** Yeah, no, I know they are.

1           **JUDGE ANDLER:** It's impressive to see how dedicated  
2 they are to their clients in this case. It's a tremendously  
3 hardworking group of attorneys.

4           **THE COURT:** Yeah. And I know Judge Chhabria, with the  
5 deadlines he set, he's going to keep you working hard. But  
6 you're all up to the task, especially with the assistance of  
7 Judge Andler and Mr. Garrie.

8           **MR. LOESER:** Yes, Your Honor. And we are very much  
9 looking forward to seeing discovery move forward and satisfying  
10 all those deadlines.

11           **THE COURT:** Okay. We will see you, then, August 23rd,  
12 at 8:30 a.m. Thank you.

13           (Counsel thank the Court.)

14           **JUDGE ANDLER:** Bye.


15           (At 8:35 a.m. the proceedings were adjourned.)

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18                                 **CERTIFICATE OF REPORTER**

19           I certify that the foregoing is a correct transcript  
20 from the record of proceedings in the above-entitled matter.

21           DATE: Thursday, July 29, 2021

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25           Katherine Powell Sullivan, CSR #5812, RMR, CRR  
                               U.S. Court Reporter